IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Bail Appl..No. 1592 of 2007()

CRIME NO.334/2006 OF TALIPARAMBA POLICE STATION

PETITIONER/ACCUSED

SUDHEER KUMAR P.C., S/O KUNHAMBU,
KOORI HOUSE, ANTHUR AMSOM, PARASSINIKKADAVU,
TALIPARAMBA TALUK, KANNUR DISTRICT.

BY ADV. SRI.B.PREMNATH (E)

RESPONDENTS: COMPLAINANT

STATE, REPRESENTED BY THE STATION HOUSE
OFFICER, TALIPARAMBA POLICE STATION,
(REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM).

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1592/2007

Dated this 14th day of March, 2007

O R D E R

The petitioner who is the accused in Crime No.334/2006 of Taliparamba Police Station for an offence punishable under Section 420 IPC seeks anticipatory bail

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner who had taken the Maruthi Alto car belonging to his neighbour with a promise to return the car within two days, not only did not return the same but had sold the car in gross breach of the promise and causing heavy loss to the defacto complainant.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for regular bail considered by the Magistrate concerned.

4. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 20.3.2007 and 22.3.2007 for the purpose of interrogation and

recovery of incriminating materials, if any. The petitioner shall thereafter be produced on the same day before the Magistrate having jurisdiction who shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs